Signature

FEE TRANSMITTAL  for FY 2004  Effective 1001/2003. Petent fees are subject to ensual avoision.  Application Number 0901/12/390  Filing Date 14 NOV 2000  First Named Inventor ELDERING  Examinor Name UNKNOWN  Art Unit 2711  Attorney Decket No. 1721-10  METHOD OF PAYMENT (check all that apply)  Check   Creat card   Other   None  Chapte steel) indicated below, except for the filing fee  To the stove-dendified depost account.  FEE CALCULATION  1. BASIC FILING FEE  Large Reptly Check all that apply)  1. BASIC FILING FEE  Large Reptly Check all that apply   Other   None  Tee Cade (3)   Other	PTO/S8/17 (10-03) Approved for use through 07/31/2006. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.					
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**or number previously paid, if greater, For Reissues, see abovo    SUBMITTED BY   Complete (if epplicable))   Name (Print/Type)   Douglas J. Ryder   Registration No. (Alternat/Appli)   43,073   Telephone 215-766-2100	SUBTOTAL (2)				• • • • • • • • • • • • • • • • • • • •	
Name (Print/Type) Douglas J. Ryder (Alternet/Austrill 43,073 Telephone 215-766-2100	The state of the s					
Name (Print/Type) Douglas J. Ryder (Alternet/Agent) 43,073 Telephone 215-766-2100	SUBMITTED BY					
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## Certificate of Transmission under 37 CFR 1.8

l he Sta	ereby certify that this co tes Patent and Traden	orrespondence is being facsimile transmitted to the United nark Office
on_	July 30, 2004 Date	
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Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1. 37 CFR 1.28(c) Notification (2 pgs.)
- 2. Fee Transmittal in duplication (2 pgs.)
- 3. Certificate of Transmission (1 pg.)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including athering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## CERTIFICATE OF TRANSMISSION/MAILING 7 CFR 1.8(A))

PATENT

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Detail July 30, 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CHRST NAMED INVENTOR		2711	
ELDERING			EXAMINER: EXTERNION OF
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SALES			]
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Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

## NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS A SMALL ENTITY (37 CFR 1.28(c))

The above noted patent application was filed and prosecuted as a small entity. While the assignee of the patent application is and has always been a small entity (Expanse Networks, Inc is the current assignee of the complete interest), a license was granted to Next Level Communications, Inc for the period of time from December 15, 1999 to January 15, 2002. Applicants erroneously believed that the patent application was still entitled to small entity status during this time frame. Applicant has recently discovered that the license to Next Level Communications, Inc. (possibly a large entity for at least a portion of this time) may have affected their small entity status during this time frame.

Accordingly, Applicant has diligently gathered data related to fees paid as a small entity during the term of the license. The table on the next page summarizes for each applicable action (item and date) the fees paid as a small entity, the current large entity fee, and the current amount owed as a result of small entity payment error.

The above noted patent application is currently entitled to small entity status.

37 CFR 1.28(c) Notification

Patent Application No. 09/712,790

Item	Date	Small Entity Fee Paid	Current Large Entity Fee	Amount to be Paid
Utility Application Filing Fee	11/14/00	\$355	\$770	\$415
Additional Claim Fees (39 Claims)	11/14/00	\$351	\$702	\$351
Additional Ind. Claim Fees (1 Claim)	11/14/00	\$40	\$86	\$46
TOTAL			1	\$812

Date: \_

Please charge the above noted fees to Deposit Account 501535.

Respectfully submitted,

buglas J. Ryder, Esquire

Reg. No. 43,073

Expanse Networks, Inc. 6206 Kellers Church Road Pipersville, PA 18947

Phone: (215) 766-2100

(215) 766-2920

37 CFR 1.28(c) Notification

Patent Application No. 09/712,790